

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
Carol C. Lam***

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***For Immediate Release***

**NEWS RELEASE SUMMARY** - September 16, 2004

United States Attorney Carol C. Lam announced the arraignment today of Genaro Ramirez-Guzman and Israel Ramirez-Nunez in San Diego before United States Magistrate Judge Ruben Brooks on a four-count indictment, charging them with: (1) conspiracy to import approximately 6,360 pounds of marijuana, in violation of Title 21, United States Code, Sections 952, 960, and 963; (2) importation of marijuana into the United States and aiding and abetting, in violation of Title 21, United States Code, Sections 952 and 960 and Title 18, United States Code, Section 2; (3) conspiracy to distribute marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; and (4) possession of marijuana with intent to distribute and aiding and abetting, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

With respect to each count, the indictment alleges that the defendants used their special skills as truck drivers authorized to import BRASS (“Border Release Advanced Screening and Selectivity”) cargo shipments

under the "Carrier Initiative Program" (CIP) in a manner that significantly facilitated the commission or concealment of the offenses charged.

According to court documents, defendants Genaro Ramirez-Guzman and Israel Ramirez-Nunez were involved in a scheme to import over 3 tons of marijuana from Mexico into the United States through the Otay Mesa Commercial Port of Entry. As part of the scheme, defendants, who were "BRASS" authorized truck drivers, each drove similar tractor-trailers containing similar commercial cargo into the Commercial Port. However, approximately 6,360 pounds of marijuana were concealed within the cargo of the tractor-trailer driven by defendant Genaro Ramirez-Guzman. When defendant Genaro Ramirez-Guzman drove his tractor-trailer into the Port, an inspector referred his vehicle to the Commercial Port's X-ray facility for further inspection. Defendant Genaro Ramirez-Guzman then attempted to evade detection of the marijuana load at the X-ray facility by parking his tractor-trailer next to codefendant Israel Ramirez-Nunez's tractor-trailer. At that time, codefendant Israel Ramirez-Nunez's tractor-trailer load had already cleared inspection. As part of the smuggling scheme, the two defendants then switched their "Inward Cargo Manifests." After the defendants switched manifests, codefendant Israel Ramirez-Nunez drove his tractor-trailer into the X-ray line with defendant Genaro Ramirez-Guzman's manifest. Defendant Genaro Ramirez-Guzman then attempted to exit the Port by using his codefendant's manifest for cargo that had already been cleared for entry into the United States. Both defendants were arrested at the Port.

United States Attorney Lam stated, "The defendants tried to take unscrupulous advantage of programs meant to benefit honest business interests."

The defendants will next be in court before the Honorable Thomas J. Whelan, United States District Court Judge, on Monday, September 20, 2004, for setting motions and trial dates.

#### **DEFENDANTS IN CUSTODY**

GENARO RAMIREZ-GUZMAN

ISRAEL RAMIREZ-NUNEZ

## **SUMMARY OF CHARGES**

Conspiracy to Distribute Marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Penalties: 10-year minimum mandatory sentence for 1,000 or more kilograms of marijuana; at least 5 years of supervised release.

Conspiracy to Import Marijuana, in violation of Title 21, United States Code, Sections 952, 960, 963 Penalties: 10-year minimum mandatory sentence for 1,000 or more kilograms of marijuana; at least 5 years of supervised release.

Possession With Intent to Distribute Marijuana and Aiding and Abetting, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2. Penalties: 10-year minimum mandatory sentence for 1,000 or more kilograms of marijuana; at least 5 years of supervised release.

Importation of Marijuana and Aiding and Abetting in violation of Title 21, United States Code, Sections 952, 960 and 18 United States Code, Section 2. Penalties: 10 year minimum mandatory sentence for 1,000 or more kilograms of marijuana; at least 5 years of supervised release.

## **AGENCY**

United States Department of Homeland Security

**An Indictment is not evidence that the defendants committed the crimes charged and like all defendants are presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.**